

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE SUBURBAN TEAMSTERS)	
OF NORTHERN ILLINOIS WELFARE AND)	
PENSION FUNDS,)	
)	
Plaintiffs,)	
)	No. 2012 C 5097
v.)	
)	Judge Bucklo
)	
CASTILLO TRUCKING, OF BOURBONNAIS,)	
INC., an Illinois corporation, and)	Magistrate Judge Denlow
FRANK M. CASTILLO, Individually,)	
)	
Defendants.)	

MOTION FOR DEFAULT & JUDGMENT IN SUM CERTAIN

NOW COME the Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS, by and through their attorneys, JOHN J. TOOMEY, and ARNOLD AND KADJAN, and, pursuant to FRCP 55, move for entry of an order of default and judgment in sum certain. In support of their Motion, Plaintiffs state as follows:

1. Suit was filed on June 26, 2012 for collection of delinquent ERISA contributions, plus attorneys' fees, costs, and interest, under 29 U.S.C. 1132(g)(2).
2. Service was made upon Castillo Trucking, of Bourbonnais, Inc., an Illinois corporation, on July 11, 2012, and a copy of the proof of service was filed with the court on July 18, 2012.
3. Service was made upon Frank M. Castillo, Individually, on July 11, 2012, and a copy of the proof of service was filed with the court on July 18, 2012.
4. More than 21 days have passed without any response to the Complaint by Defendants, so that Defendants are now in default.

5. As supported by the attached Affidavits, the sums due on the Complaint are:

\$13,257.55 Pension audit
\$5,892.81 Welfare audit
\$2,507.76 Pension Fund installment note
\$1,974.23 Welfare Fund installment note
\$925.00 Attorneys fees
\$473.00 Court costs
\$25,030.35

WHEREFORE, Plaintiffs pray for the entry of an Judgment Order in favor of the Plaintiffs Trustees of the Suburban Teamsters of Northern Illinois Welfare and Pension Funds as follows:

A. Judgment against Defendant, Castillo Trucking, of Bourbonnais, Inc., an Illinois corporation in the amount of \$25,030.35 on Counts I and II;

B. Judgment against Defendant, FRANK M. CASTILLO, Individually on Count III in the amount of \$4,481.99, the balances due on the installments notes which he personally signed, jointly and severally with the corporation.

TRUSTEES OF THE SUBURBAN TEAMSTERS
OF NORTHERN ILLINOIS WELFARE AND
PENSION FUNDS

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Dated: August 6, 2012